

PATENT
Attorney Docket No. 413333
Sent Via Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Richard B. Mindlin
Serial No. 10/684,609
Filed October 14, 2003
For Method and Apparatus for Golf
Instructions

Examiner Chambers, Michael
S.
Group Art No. 3711
Confirmation No. 2912

July 13, 2006

Mail Stop 16
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
IMPROPER CHARGE OF DEPOSIT ACCOUNT

Dear Sir:

I. REFUND REQUEST

This is a request for a refund in the amount of \$65.00, with respect to the charges to Deposit Account 12-0600, shown on the statement dated November 2005, for the above-identified patent application.

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED
\$65.00 for filing a Terminal Disclaimer.

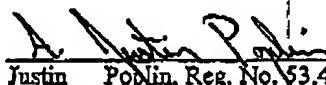
III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The charge of \$65.00 posted November 22, 2005, control number 222, appears to be duplicative of the November 22, 2005, control number 182.

IV. MANNER OF REFUND

Please make refund of \$65.00 crediting Account No. 12-0600.

Respectfully submitted,



Justin Poplin, Reg. No. 53,476
LATHROP & GAGE LC
2345 Grand Boulevard
Suite 2800
Kansas City, MO 64108
Telephone: (816) 292-2000
Facsimile: (816) 292-2001

11/16 183	5759745	412753	2552	\$1,150.00	\$35,187.50
11/17 112	11273642	442502	2011	\$150.00	\$35,037.50
11/17 113	11273642	442502	2111	\$250.00	\$34,787.50
11/17 114	11273642	442502	2311	\$100.00	\$34,687.50
11/17 115	11273642	442502	2202	\$50.00	\$34,637.50
11/17 197	10043752	292150	1501	\$1,400.00	\$33,237.50
11/17 198	10043752	292150	1504	\$300.00	\$32,937.50
11/17 203	10658309		2501	\$700.00	\$32,237.50
11/17 204	10658309		1504	\$300.00	\$31,937.50
11/17 238	11273364	438450	2011	\$150.00	\$31,787.50
11/17 239	11273364	438450	2111	\$260.00	\$31,537.50
11/17 240	11273364	438450	2311	\$100.00	\$31,437.50
11/17 241	11273364	438450	2201	\$200.00	\$31,237.50
11/17 242	11273364	438450	2202	\$400.00	\$30,837.50
11/17 523	2291971	410339	7205	\$200.00	\$30,637.50
11/17 524	2291971	410339	7208	\$400.00	\$30,237.50
11/17 542	76561011	430189	7004	\$150.00	\$30,087.50
11/17 650	78755507	438817	7001	\$325.00	\$29,762.50
11/17 1753	78756043	434566	7001	\$650.00	\$29,112.50
11/18 1	10147633	71789/47653.	2201	\$100.00	\$29,012.50
11/18 13	E-REPLENISHMENT		9203	-\$9,072.50	\$38,085.00
11/18 145	09773303	19742-001	2801	\$395.00	\$37,690.00
11/18 146	09773303	19742-001	2253	\$510.00	\$37,180.00
11/21 47	6476014	391729	2551	\$450.00	\$36,730.00
11/21 263	8405879	365835	2551	\$450.00	\$36,280.00
11/22 7	6950493	423158	1811	\$100.00	\$36,180.00
11/22 126	5313957	403465	2553	\$1,900.00	\$34,280.00
11/22 182	10684609	413333	2814	\$65.00	\$34,215.00
11/22 222	10684609	413333	2814	\$65.00	\$34,150.00
11/22 440	78758504		7001	\$325.00	\$33,825.00
11/22 462	78758511		7001	\$325.00	\$33,500.00
11/22 476	78758520		7001	\$325.00	\$33,175.00
11/22 514	78758537		7001	\$325.00	\$32,850.00
11/22 542	78758556		7001	\$325.00	\$32,525.00
11/22 568	78758567		7001	\$325.00	\$32,200.00
11/22 1267	78758911	439504	7001	\$325.00	\$31,875.00
11/22 1592	2293773		7205	\$100.00	\$31,775.00
11/22 1593	2293773		7206	\$100.00	\$31,675.00
11/23 4	09505821	9229/002	2801	\$395.00	\$31,280.00
11/23 5	09505821	9229/002	2252	\$225.00	\$31,055.00
11/23 86	29202522	420031	2502	\$400.00	\$30,655.00
11/23 87	29202522	420031	8001	\$30.00	\$30,625.00
11/23 215	11283636	441916	2011	\$150.00	\$30,475.00
11/23 216	11283636	441916	2111	\$250.00	\$30,225.00
11/23 217	11283636	441916	2311	\$100.00	\$30,125.00
11/23 218	11283636	441916	2201	\$200.00	\$29,925.00
11/25 25	11283938	443267	1011	\$300.00	\$29,625.00
11/25 26	11283938	443267	1111	\$500.00	\$29,125.00

CERTIFICATE OF FACSIMILE TRANSMISSION 37 CFR 1.8 Applicant(s): Richard B. Mindlin			Matter No. 413333
Serial No. 10/684,609	Filing Date October 14, 2003	Examiner Michael S. Chambers	Group Art Unit 3711
Invention Method and Apparatus for Golf Instruction			
<p>I hereby certify that the following: Certificate of Facsimile Cover Sheet (1 page); Transmittal Form (1 page); Request for Refund Impromper Charge of Deposit Account (2 pages), and Copy of Monthly Statements of Deposit Account (1 page.), are being sent via facsimile transmission to (571)273-6500, c/o the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13th day of July, 2006.</p>			
<p>_____ Melissa Smith <small>Name of Transmitter</small></p>			
<p>_____ <i>Melissa Smith</i> <small>Signature of Transmitter</small></p>			
<p>_____ (816)292-2001 <small>Faximile No.</small></p>			

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NO. 3800 P. 2

P10/68/21 (09-01)

Approved for use through 07/31/2006. OMB 0551-0031

PATENT AND TRADEMARK OFFICE U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number

10/684,609

Elliott Davis

October 14, 2003

First Named Inventor

Richard

ATOMIC

Stampede Michael S.

Examiner Name

183

Total Number of Pages in This Submission

413333

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After First	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Request for Refund	Certificate of Facsimile Request for Refund Improper Charge of Deposit Account Copy of Monthly Statement of Deposit Account
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

SIGNATURE OF ATTORNEY			
Firm	Lathrop & Gage		
Signature			
Printed Name	Justin Poplin		
Date	July 13, 2008	Reg. No.	53,478

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature *Melissa Smith* **Date** *July 13, 2006*
Typed or printed name *Melissa Smith*

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to be had by the U.S.P.T.O. in processing an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Comptroller for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NO. 2102 P. 4/6

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PTO/6B/28 (08-09)

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

Docket Number (Optional)
413333

In re Application of: Richard B. Rudy

Application No. 10/584,608

Filed: October 14, 2003

For: Method And Apparatus For Golf Instruction

The owner, Richard B. Rudy, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,743,111. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer. In the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.


William A. Rudy
11/17/2005
Signature Date
William A. Rudy
Typed or printed name
(816) 460-5819
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/36 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Adjustment date: 08/16/2006
11/22/2005 NTBZINES 00000077 120600 10684509
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